

94-400-A



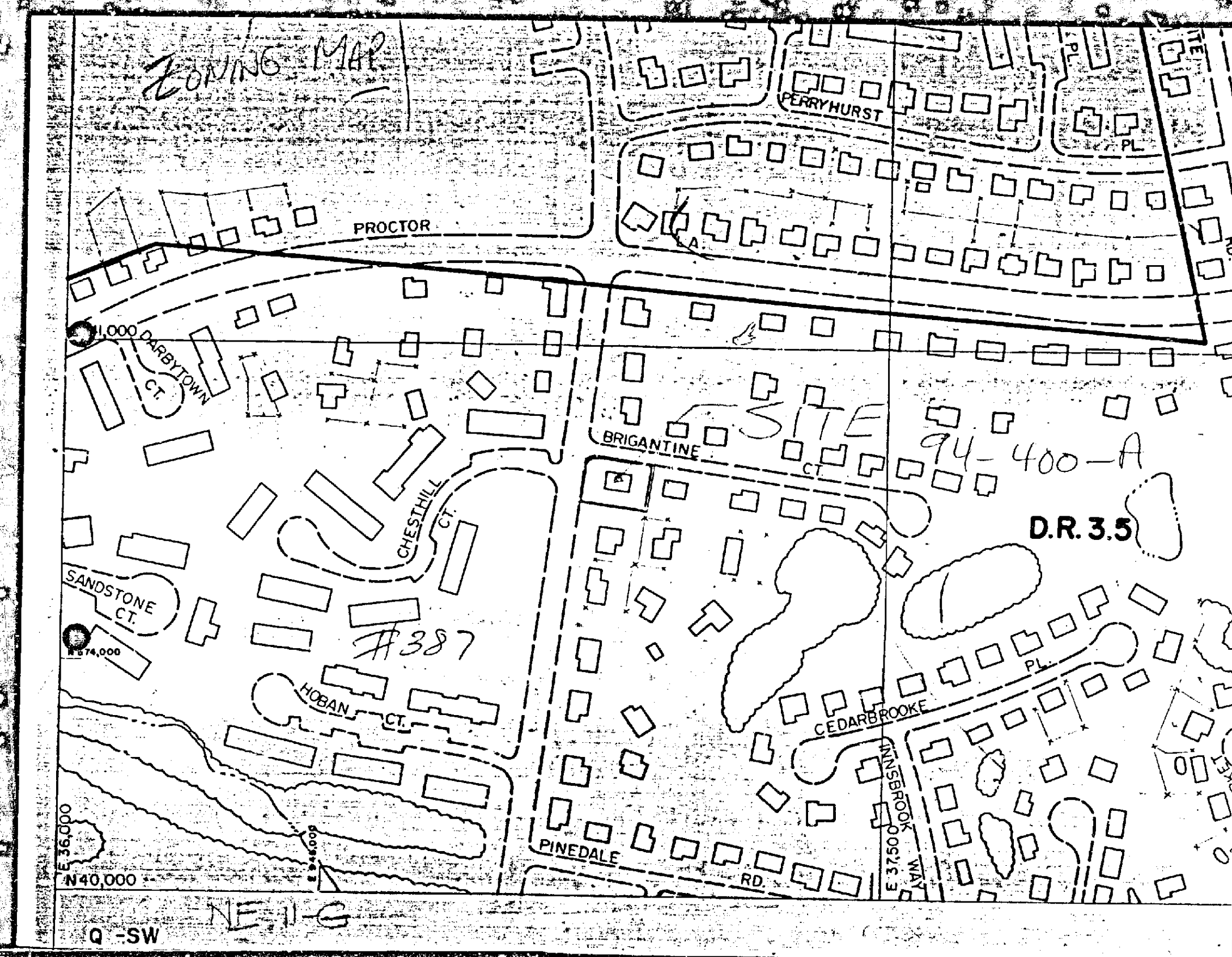
# 387

PREPARED BY AIR PHOTOGRAPHICS, INC.  
MARTINSBURG, W. V. 25401

BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±		
DATE OF PHOTOGRAPHY	PERRY HALL	N.E. II-G
JANUARY 1986		





**Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing**

PROPERTY ADDRESS: 1 Brigantine Ct see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: Circle 20-73

plat book # 41 folio # 32 lot # 47 section # IV

OWNER: KEVIN & SANDRA CARPENTER

North  
date: 3/20/04  
prepared by: KUC Scale of Drawing: 1" = 20'

**LOCATION INFORMATION**

Election District: 11

Councilmanic District: 5

1"=200' scale map: NE 11-G

Zoning: DR 3.5

Lot size: 25 9500 square feet

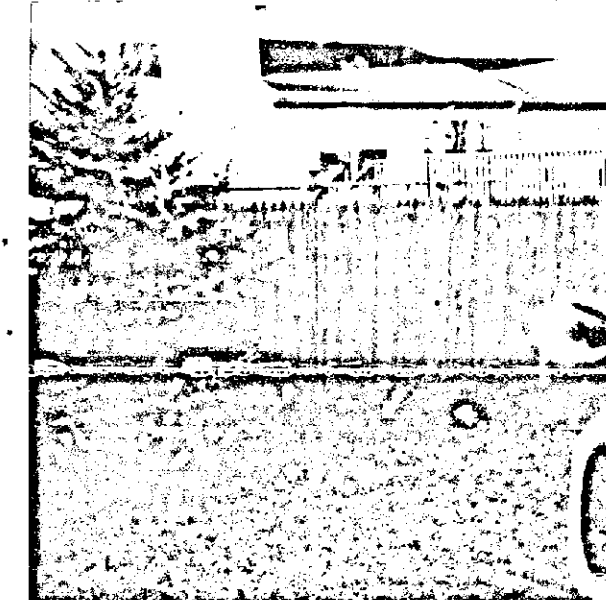
SEWER: ☒ WATER: ☐

Chesapeake Bay Critical Area: ☐

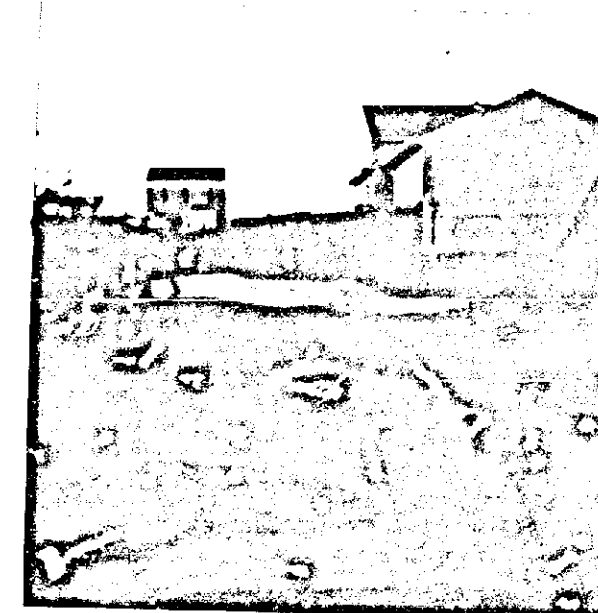
Prior Zoning Hearings: None

**Zoning Office USE ONLY!**

reviewed by: SP ITEM #: 387 CASE#:



rear of house.  
grass and tree is  
neighbors property



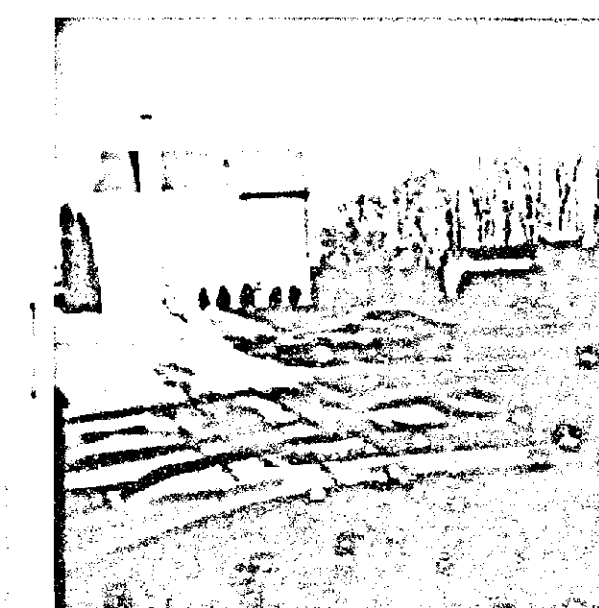
left side of house  
taken from S Brigantine Ct  
note hill on side of  
house.

#387

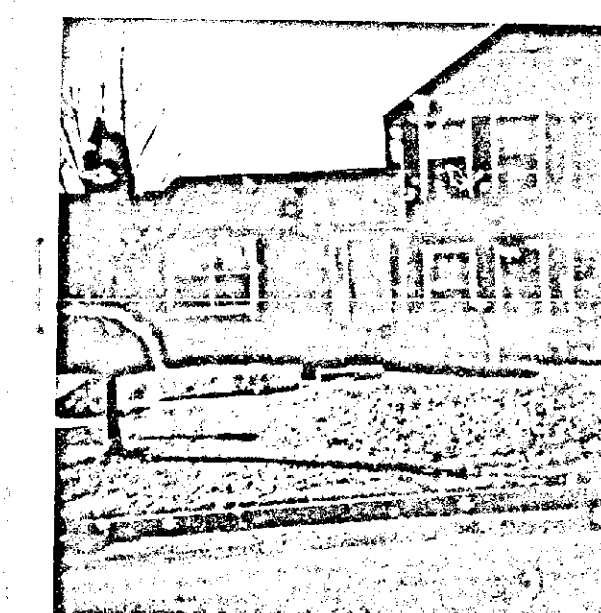


front view. Existing fence is on right side of house

#387



Side of house on  
sheet is Seven Courts.  
New fence will come  
out 60' side walk.



Front view of house

#387



ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
  - 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.
- NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

*Arnold Jablon*  
ARNOLD JABLON, DIRECTOR

FOR NEWSPAPER ADVERTISING:

Item No.: 387  
Petitioner: Kevin H. Carpenter  
Location: Brigantine Ct. Balto. Md 21204  
PLEASE FORWARD ADVERTISING BILL TO:  
NAME: Kevin H. Carpenter  
ADDRESS: 1 Brigantine Ct. Balto. Md 21204  
PHONE NUMBER: 410-246-2428

MUST BE SUPPLIED

Mr. and Mrs. Kevin H. Carpenter  
1 Brigantine Court  
Baltimore, Maryland 21204

RE: Case No. 94-400-A, Item No. 387  
Petitioner: Kevin H. Carpenter, et ux  
Petition for Administrative Variance

Dear Mr. and Mrs. Carpenter:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on April 11, 1994, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1. The director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.

Ms. Charlotte Minton  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Baltimore County  
Item No. 94-400-A

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*John Contestabile*  
John Contestabile, Chief  
Engineering Access Permits  
Division

BS/

My telephone number is \_\_\_\_\_  
Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free  
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: May 2, 1994  
Zoning Administration and Development Management

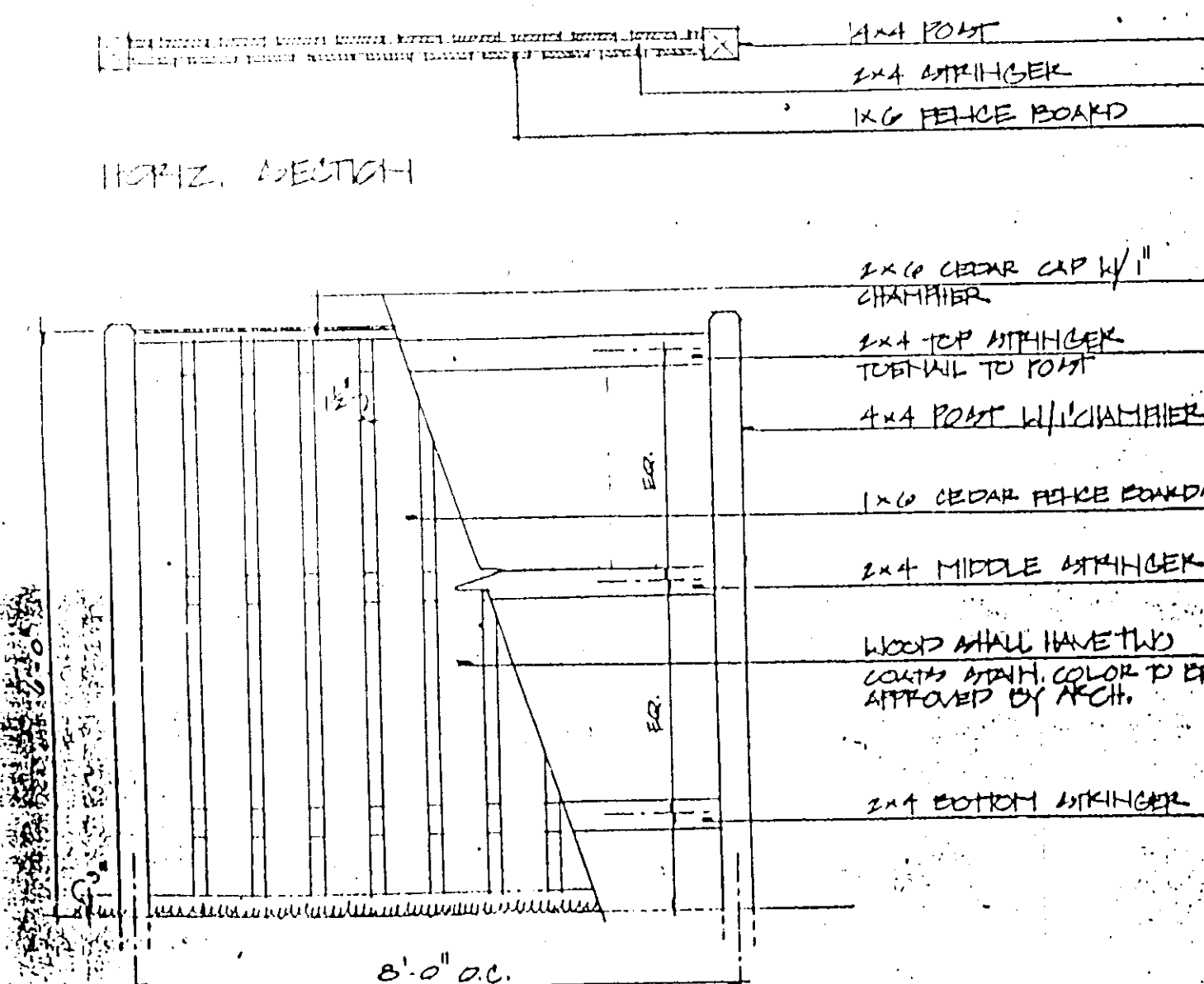
FROM: Robert W. Bowling, Chief  
Developers Engineering Section

RE: Zoning Advisory Committee Meeting  
for May 2, 1994  
Item No. 387

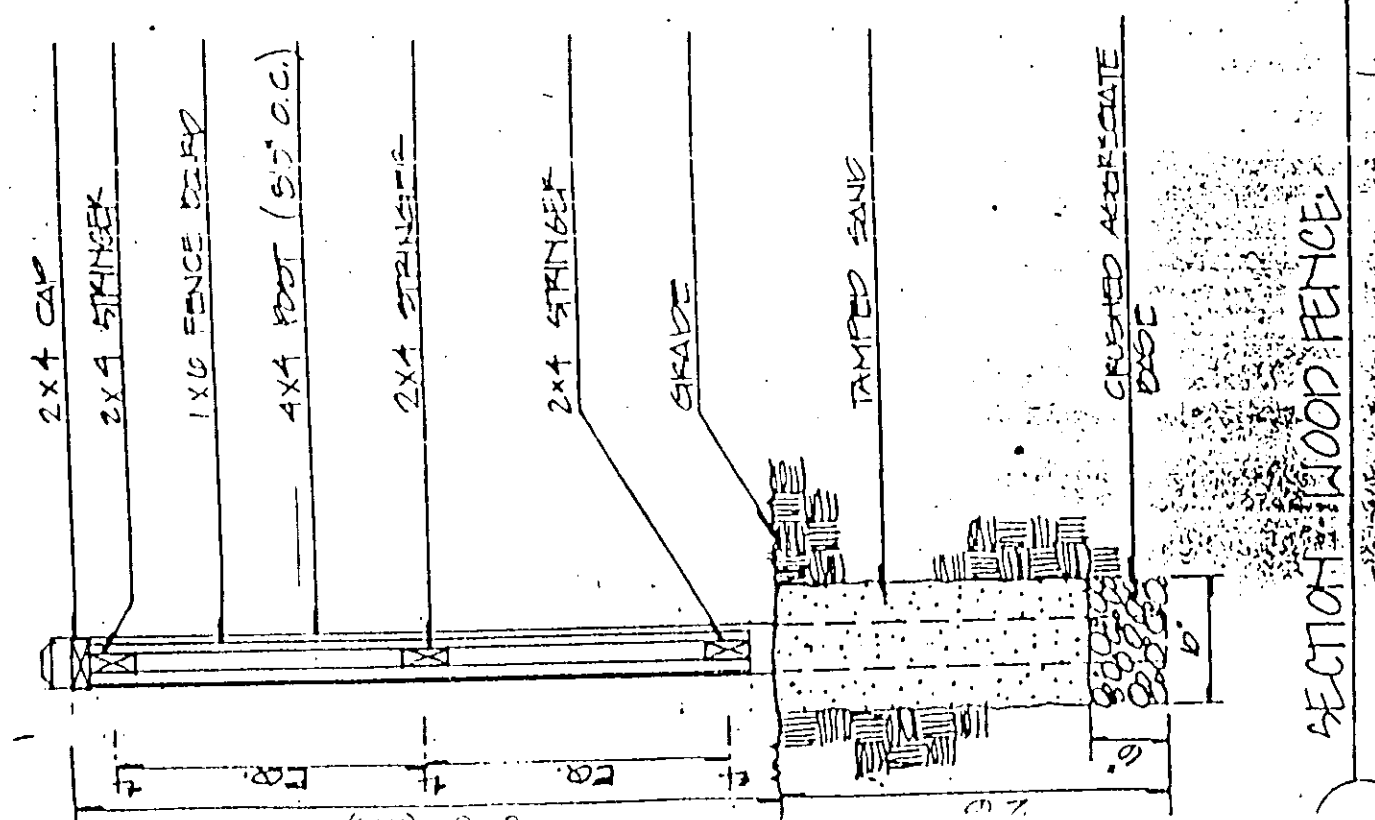
The Developers Engineering Section has reviewed the subject zoning item. We recommend the attached fence specification.

RWB:a

Rncl.



5 ELEVATION + PLAN - WOOD FENCE  
NO SCALE



BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration and  
Development Management

DATE: April 22, 1994

FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

- Item 374, 7736 South Cove Road
- Item 381, 2209 Headland Avenue
- Item 382, 6000 Hamilton Avenue
- Item 383, 6732 Charles Street Avenue
- Item 387, 1 Brigantine Court
- Item 389, 1044 Green Hill Farm Road
- Item 391, 10 Blueleaf Court
- Item 393, 100 Sunny Meadow Lane
- Item 394, 2608 Harwood Road

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: *Jeffrey W. Long*  
Division Chief: *Emily L. Perna*  
PK/JL:pat

374NC.ZAC/PZONE/ZAC1

NOTICE OF CASE NUMBER ASSIGNMENT

TO: Kevin Howard Carpenter and Andrea Carpenter  
1 Brigantine Court  
Baltimore, MD 21226

Re: CASE NUMBER: 94-400-A (Item 387)  
1 Brigantine Court  
5/5 Brigantine Court, 35° E of c/l Seven Courts  
11th Election District - 5th Councilmanic

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact with this office regarding the status of this case should reference the case number and be directed to 887-3353. This notice also serves as a reminder regarding the administrative process.

1) Your property will be posted on or before April 24, 1994. The closing date (May 9, 1994) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

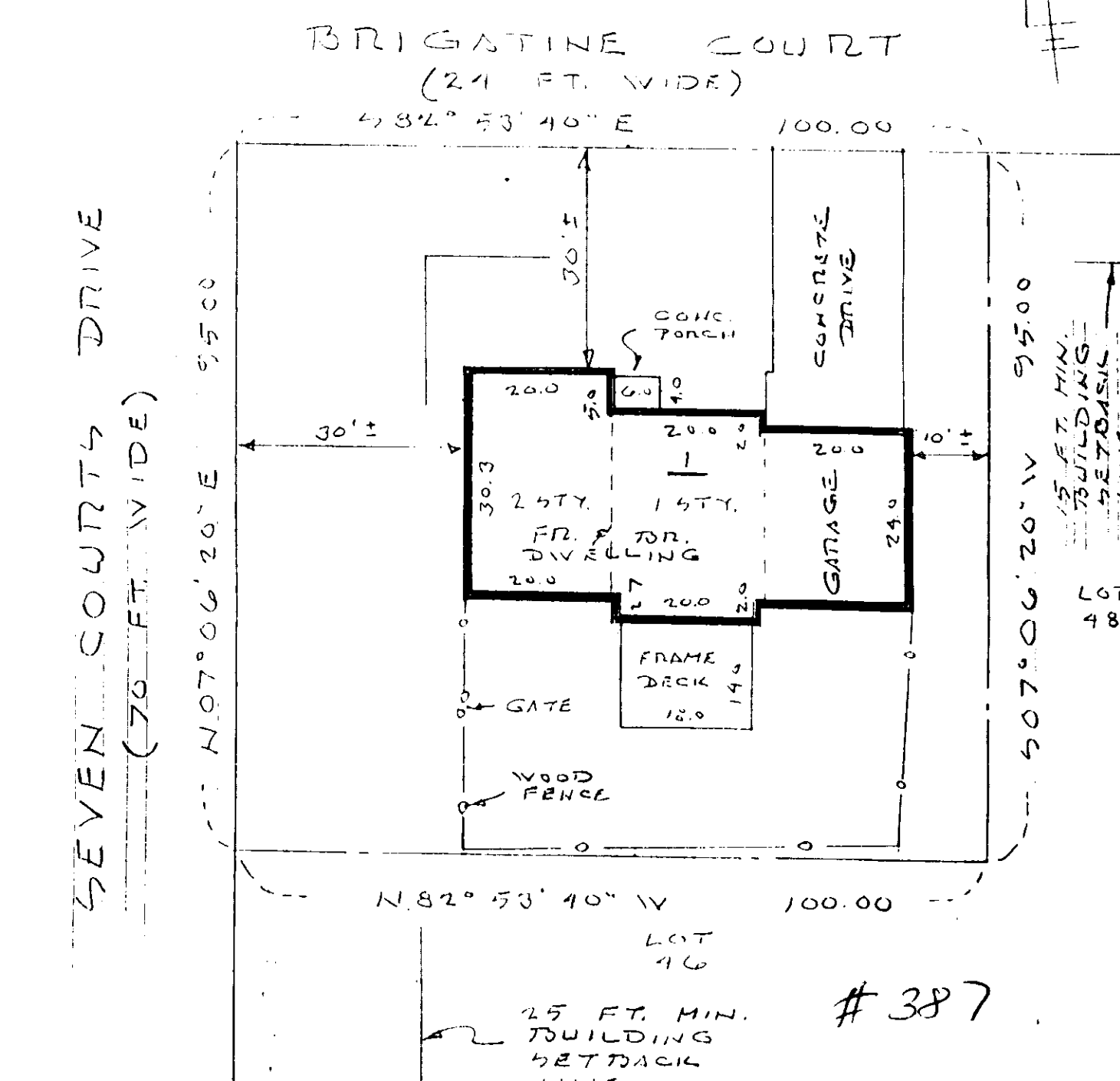
2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be posted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

*Arnold Jablon*  
Arnold Jablon  
Director

This property is located within zone CS as shown on F.I.R.M. panel No. 4488 (3-22-93). Flood map interpretation, though believed accurate, is not guaranteed.



This reproduction subject to 1% reduction in scale.  
I hereby certify that I have made a survey of this lot for the purpose of locating the improvements thereon and that they are located as shown.

12/20/93  
REQ. NO. 8675

LOCATION SURVEY	SCALE
1 BRIGANTINE COURT, BALTO. CO., MD.	1"=20'
OFFICE OF	DATE
MANK & KUNST	12/20/93
408 YORK ROAD	JOB NO.
TOWSON, MARYLAND 21204	348
	93 M



IN RE: PETITION FOR ADMIN. VARIANCE  
S/S Brigantine Court, 35' E of  
the c/l of Seven Courts  
(1 Brigantine Court)  
11th Election District  
5th Councilmanic District  
Kevin H. Carpenter, et ux  
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the owners of the subject property, Kevin H. and Sandra C. Carpenter. The Petitioners seek relief from Sections 427.A and 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a 6-foot high fence in the rear yard which adjoins the front yard of an adjacent property in lieu of the permitted 42-inch high fence, and to permit a swimming pool in a location other than the required third of the lot farthest removed from any street. The subject property and relief sought are more particularly described on the plat to accompany the Petition filed and marked as Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits

submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 11th day of May, 1994 that the Petition for Administrative Variance seeking relief from Sections 427.A and 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a 6-foot high fence in the rear yard which adjoins the front yard of an adjacent property in lieu of the permitted 42-inch high fence, and to permit a swimming pool in a location other than the required third of the lot farthest removed from any street, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioners may apply for their permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

*Timothy M. Kotroco*  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

- 2 -

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

Suite 113 Courthouse  
409 Washington Avenue  
Towson, MD 21204

May 11, 1994

(410) 887-4386

Mr. & Mrs. Kevin H. Carpenter  
1 Brigantine Court  
Baltimore, Maryland 21236

RE: PETITION FOR ADMINISTRATIVE VARIANCE  
S/S Brigantine Court, 35' E of the c/l of Seven Courts  
(1 Brigantine Court)  
11th Election District - 5th Councilmanic District  
Kevin H. Carpenter, et ux - Petitioners  
Case No. 94-400-A

Dear Mr. & Mrs. Carpenter:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration Office at 887-3391.

Very truly yours,

*Timothy M. Kotroco*  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: People's Counsel

file

Petition for Administrative Variance  
to the Zoning Commissioner of Baltimore County

for the property located at 1 Brigantine Ct, Balto, MD  
which is presently zoned 2-236  
DR.3.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Sections 427.A and Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a 6 ft. fence in the rear yard which adjoins the front yard of adjacent lot in lieu of the permitted 42 inches, and to allow a swimming pool in a location other than the required third of the lot farthest removed from any street.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty) 1. We want to move the existing back yard 6' sidewalk fence over to the sidewalk. The fence will run along the front yard of our neighbors. Our house faces the court, their house faces the main street. 2. We want to put a 24' above ground pool on the street side of our back yard instead of the inside half which is a very small space and on a hill. The street side is flat and has alot of open space. Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

When the Zoning Board decides and after 10 days, the petitioners of the property which is the subject of this petition, shall be the legal owner(s) of the property which is the subject of this petition.

A Public Hearing having been requested and/or held to be requested, it is ordered by the Zoning Commissioner of Baltimore County, this 11th day of May, 1994, that the subject matter of this petition be set for a public hearing, advertised and held by the Zoning Regulations of Baltimore County, in two newspaper columns of general circulation throughout Baltimore County, and that the property be posted.

Reviewed by: *JKF* Date: 4/11/94  
Estimated Filing Date: 4-24-94  
Item #: 387

Affidavit in support of  
Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) do(es) presently reside at 1 Brigantine Ct, Balto, MD 21236

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (house, yard or business activity)

1. We want to move the existing back yard 6' sidewalk fence over to the sidewalk. The fence will run along the front yard of our neighbors. Our house faces the court, their house faces the main street.

2. We want to put a 24' above ground pool on the street side of our backyard instead of the inside half which is a very small space and on a hill. The street side is flat and has alot of open space.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

STATE OF MARYLAND, COUNTY OF BALTIMORE, to-wit:

I HEREBY CERTIFY, this 11th day of April, 1994, before me, a Notary Public of the State of Maryland and for the County aforesaid, personally appeared

Kevin H. Carpenter and Sandra Carpenter

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the facts hereinabove set forth are true and correct to the best of their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

4/11/94

Notary Public

My Commission Expires: 12/12/96

EXAMPLE 3 - Zoning Description - 3 copies

Three copies are required. Copies of deeds cannot be used in place of this description. Use this fill-in format provided whenever possible; otherwise, type or print on 8-1/2" x 11" sheet.

ZONING DESCRIPTION FOR 1 Brigantine Ct (address)

Election District 11 Councilmanic District 5

Beginning at a point on the South side of Brigantine (north, south, east or west)

which is 24' (number of feet of right-of-way width)

(street on which property fronts)

wide at a distance of 35' east (number of feet) (north, south, east or west) of the

centerline of the nearest improved intersecting street 7 Courts Drive (name of street)

which is 70' wide. \*Being Lot # 47 (number of feet of right-of-way width)

Block E, Section IV in the subdivision of Pineade Woods (name of subdivision)

Book E.H.K. Ju. No. 41 Folio 32, containing 9500 sq. ft. + .25 acres (square feet and acres)

\*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber Folio " and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Example of metes and bounds: N.87° 12' 13" E. 321.1 ft., S.18° 27' 03" E. 87.2 ft., S.62° 19' 00" W. 318 ft., and N.08° 15' 22" W. 80 ft. to the place of beginning.

# 387

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

District 11th Date of Posting 4/25/94

Posted for Variance

Petitioner: Kevin H. Carpenter

Location of property: 1 Brigantine Ct, Balto

Location of Signs: Facing road, on property, back, around

Remarks:

Posted by: *JKF* Date of return: 4/29/94

Number of Signs: 4

Baltimore County  
Zoning Administration &  
Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Date 4-11-94

CARPENTER -- 1 Brigantine Ct.

OIO - Variance -- \$ 50.00

OIO - Sign -- \$ 35.00

\$ 85.00

Cashier Validation

Please Make Checks Payable To: Baltimore County

receipt  
94-400-A

Account: R-001.6150

Number # 387

Taken by: JKF

Item Number: 387

Planner: JKF

Date Filed: 4-24-94

PETITION PROCESSING FLAG

This petition has been accepted for filing, after an initial review, and has been placed on the agenda for the zoning advisory committee. However, the following items were found to be missing or incomplete when the petition was included on the agenda by Sophia. A copy of this "flag" will be placed in the case file for the Zoning Commissioner's review. The planner that accepted the petition for filing has the option of notifying the petitioner and/or attorney prior to the hearing or Zoning Commissioner's review of the petition regarding the items noted below. If the petitioner/attorney is contacted by the planner, it is the petitioner's ultimate decision and responsibility to make a proper application, address any zoning conflicts, and to file revised petition materials if necessary. Delays and unnecessary additional expenses may be avoided by correcting the petition to the proper form.

Need an attorney

The following information is missing:

- Descriptions, including accurate beginning point
- Actual address of property
- Zoning - WRONG ON PETITION FORM
- Acres
- Plats (need 12, only submitted)
- 200 scale zoning map with property outlined
- Election District
- Councilmanic District
- 802A section information and/or wording
- Hardship/practical difficulty information
- Owner's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
- Contract purchaser's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
- Signature (need minimum 1 original signature) and/or printed name and/or title of person signing for legal owner/contract purchaser
- Power of attorney or authorization for person signing for legal owner and/or contract purchaser
- Attorney's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
- Notary Public's section is incomplete and/or incorrect and/or commission has expired

PET-FLAG (TYSOPH)  
11/17/93



94-400-A



# 387

PREPARED BY AIR PHOTOGRAPHICS, INC.  
MARTINSBURG, W. V. 25401

BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

SCALE  
1" = 200' ±

DATE  
OF  
PHOTOGRAPHY  
JANUARY  
1986

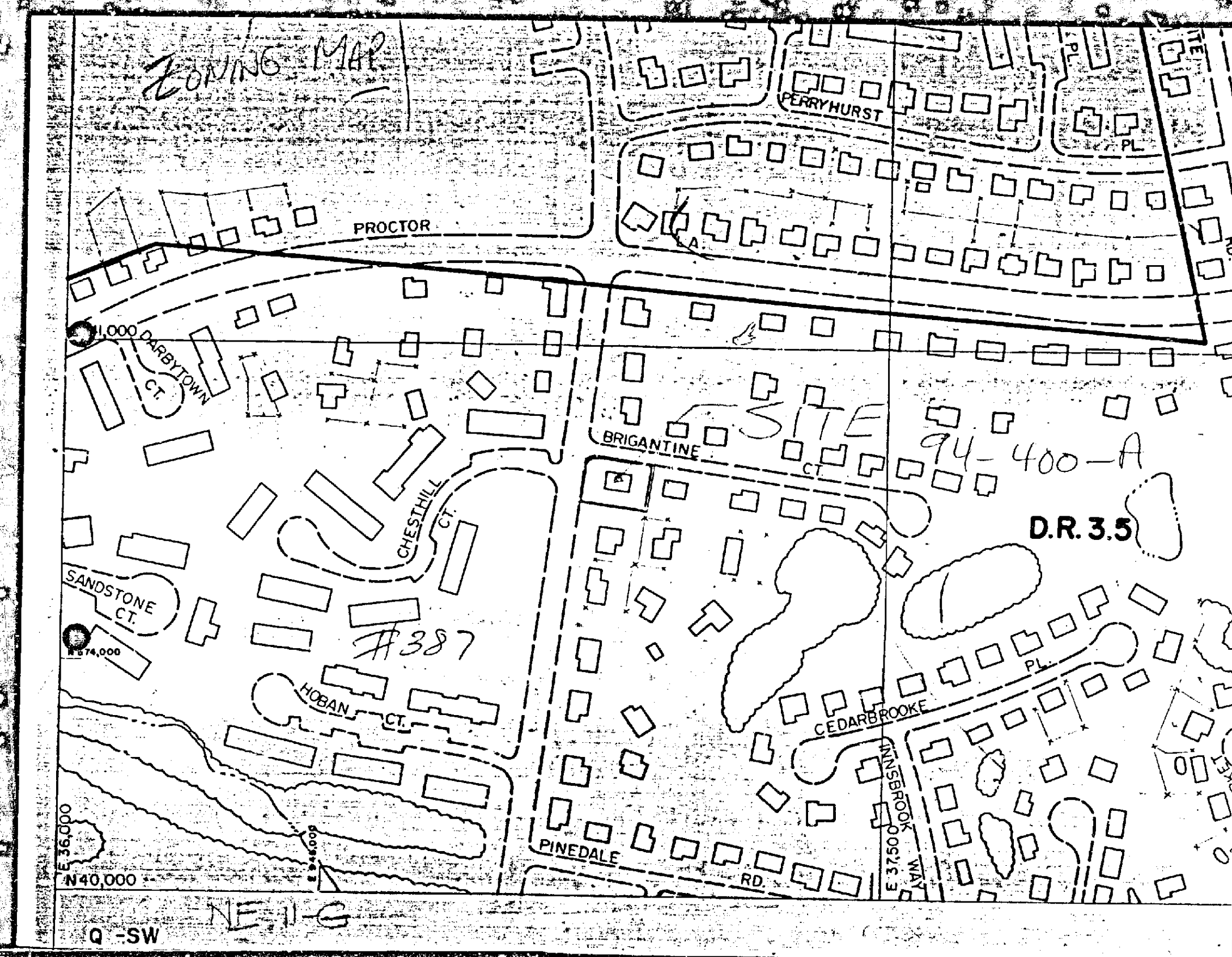
LOCATION

PERRY HALL

SHEET

N.E.  
II-G





**Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing**

PROPERTY ADDRESS: 1 Brigantine Ct see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: Circle 20-73

plat book # 41 folio # 32 lot # 47 section # IV

OWNER: KEVIN & SANDRA CARPENTER

North  
date: 3/20/04  
prepared by: KUC Scale of Drawing: 1" = 20'

**LOCATION INFORMATION**

Election District: 11

Councilmanic District: 5

1"=200' scale map: NE 11-G

Zoning: DR 3.5

Lot size: 25 9500 square feet

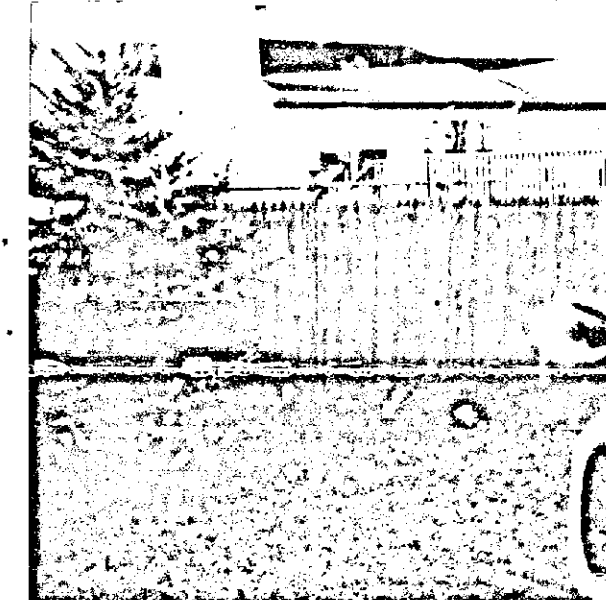
SEWER: ☒ WATER: ☐

Chesapeake Bay Critical Area: ☐

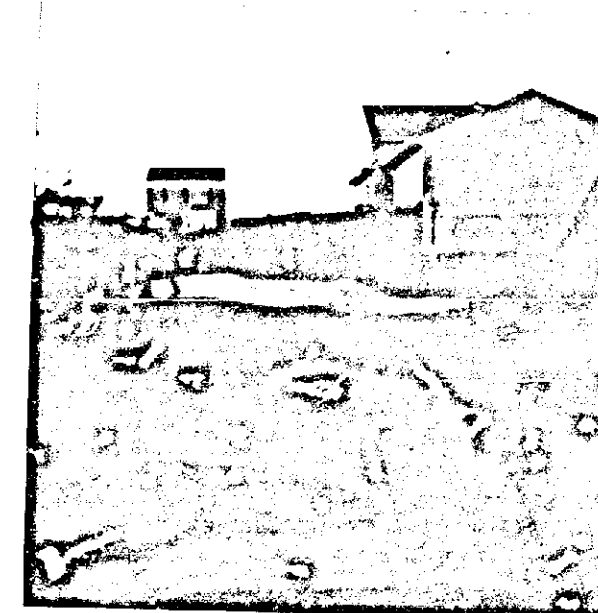
Prior Zoning Hearings: None

**Zoning Office USE ONLY!**

reviewed by: SP ITEM #: 387 CASE#:



rear of house.  
grass and tree is  
neighbors property



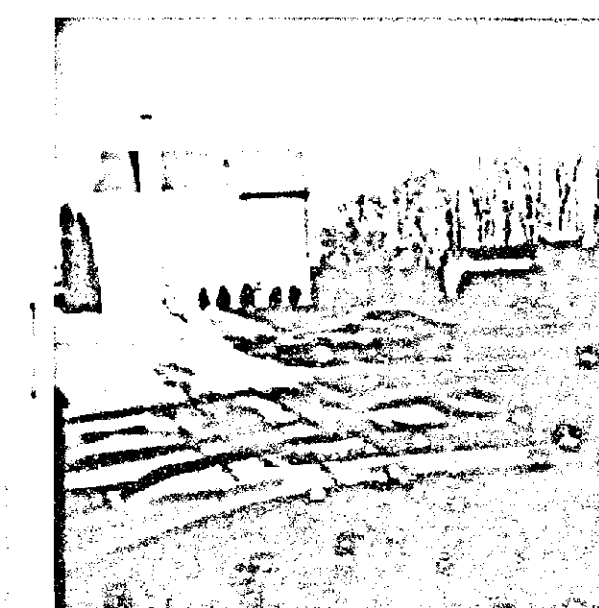
left side of house  
taken from S Brigantine Ct  
note hill on side of  
house.

#387

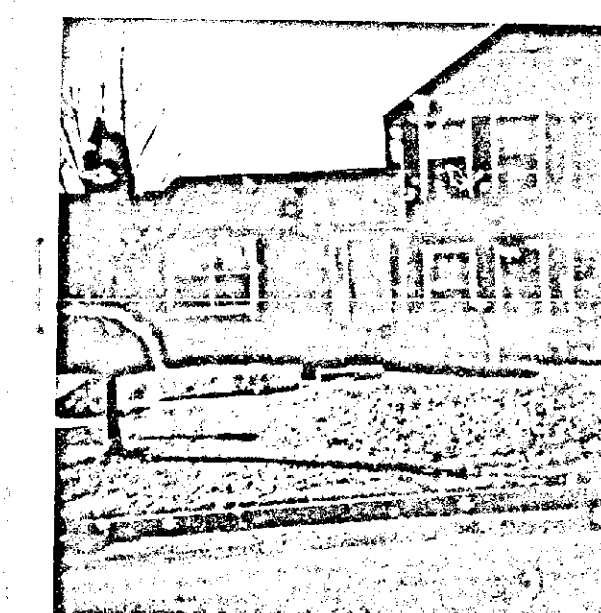


front view. Existing fence is on right side of house

#387



Side of house on  
sheet is Seven Courts.  
New fence will come  
out 60' side walk.



Front view of house

#387







IN RE: PETITION FOR ADMIN. VARIANCE  
S/S Brigantine Court, 35' E of  
the c/l of Seven Courts  
(1 Brigantine Court)  
11th Election District  
5th Councilmanic District  
Kevin H. Carpenter, et ux  
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the owners of the subject property, Kevin H. and Sandra C. Carpenter. The Petitioners seek relief from Sections 427.A and 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a 6-foot high fence in the rear yard which adjoins the front yard of an adjacent property in lieu of the permitted 42-inch high fence, and to permit a swimming pool in a location other than the required third of the lot farthest removed from any street. The subject property and relief sought are more particularly described on the plat to accompany the Petition filed and marked as Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits

submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 11th day of May, 1994 that the Petition for Administrative Variance seeking relief from Sections 427.A and 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a 6-foot high fence in the rear yard which adjoins the front yard of an adjacent property in lieu of the permitted 42-inch high fence, and to permit a swimming pool in a location other than the required third of the lot farthest removed from any street, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

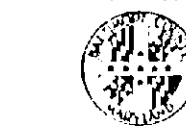
- 1) The Petitioners may apply for their permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

*Timothy M. Kotroco*  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

Suite 113 Courthouse  
409 Washington Avenue  
Towson, MD 21204



May 11, 1994

(410) 887-4386

Mr. & Mrs. Kevin H. Carpenter  
1 Brigantine Court  
Baltimore, Maryland 21236

RE: PETITION FOR ADMINISTRATIVE VARIANCE  
S/S Brigantine Court, 35' E of the c/l of Seven Courts  
(1 Brigantine Court)  
11th Election District - 5th Councilmanic District  
Kevin H. Carpenter, et ux - Petitioners  
Case No. 94-400-A

Dear Mr. & Mrs. Carpenter:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration Office at 887-3391.

Very truly yours,

*Timothy M. Kotroco*  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: People's Counsel

File

Petition for Administrative Variance  
to the Zoning Commissioner of Baltimore County

for the property located at 1 Brigantine Ct, Balto, MD  
which is presently zoned 2-236  
DR.3.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 427.A and Section 400.1 to allow a 6 ft. fence in the rear yard which adjoins the front yard of adjacent lot in lieu of the permitted 42 inches, and to allow a swimming pool in a location other than the required third of the lot farthest removed from any street.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty) 1. We want to move the existing back yard 6' sidewalk fence over to the sidewalk. The fence will run along the front yard of our neighbors. Our house faces the court, their house faces the main street. 2. We want to put a 6' above ground pool on the street side of our back yard instead of the inside half which is a very small space and on a hill. The street side is flat and has alot of open space. Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

When the Zoning Board decides and after one (1) year, the parties of the petition shall have the right to appeal the decision of the Zoning Board to the County Board of Appeals. A Public Hearing having been requested and/or held to be requested, it is ordered by the Zoning Commissioner of Baltimore County, this 11th day of May, 1994, that the subject matter of this petition be set for a public hearing, advertised and held by the Zoning Regulations of Baltimore County, in two (2) weeks of the date of this decision, throughout Baltimore County, and that the property be posted.

Reviewed by: *John* Date: 4/11/94  
Estimated Filing Date: 4-24-94  
Item #: 387

Affidavit in support of  
Administrative Variance

The undersigned hereby affirms under the penalty of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) do(es) presently reside at 1 Brigantine Ct, Balto, MD 21236

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (house, yard or business activity)

1. We want to move the existing back yard 6' sidewalk fence over to the sidewalk. The fence will run along the front yard of our neighbors. Our house faces the court, their house faces the main street.  
2. We want to put a 6' above ground pool on the street side of our backyard instead of the inside half which is a very small space and on a hill. The street side is flat and has alot of open space.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

*Kevin H. Carpenter*  
Kevin H. Carpenter  
STATE OF MARYLAND, COUNTY OF BALTIMORE, to-wit:

I HEREBY CERTIFY, this 11th day of April, 1994, before me, a Notary Public of the State of Maryland and for the County aforesaid, personally appeared

Kevin H. Carpenter and Sandra Carpenter

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the facts hereinabove set forth are true and correct to the best of their knowledge and belief.

AS WITNESS my hand and Notarial Seal.  
4/11/94  
Notary Public

My Commission Expires: 12/12/96

EXAMPLE 3 - Zoning Description - 3 copies

Three copies are required. Copies of deeds cannot be used in place of this description. Use this fill-in format provided whenever possible; otherwise, type or print on 8-1/2" x 11" sheet.

ZONING DESCRIPTION FOR 1 Brigantine Ct (address)  
Election District 11 Councilmanic District 5

Beginning at a point on the South side of Brigantine (north, south, east or west)

which is 24' (number of feet of right-of-way width)

(street on which property fronts)

wide at a distance of 35' east (number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street 7 Courts Drive (name of street)

which is 70' wide. \*Being Lot # 47 (number of feet of right-of-way width)

Block E, Section IV in the subdivision of Pineade Woods (name of subdivision)

Book E.H.K. Ju. No. 41 Folio 32, containing 9500 sq. ft. + .25 acres (square feet and acres)

\*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber Folio " and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Example of metes and bounds: N.87 12' 13" E. 321.1 ft., S.18 27' 03" E. 87.2 ft., S.62 19' 00" W. 318 ft., and N.08 15' 22" W. 80 ft. to the place of beginning.

# 387

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

District 11th Date of Posting 4/25/94

Posted for Variance

Petitioner: Kevin H. Carpenter

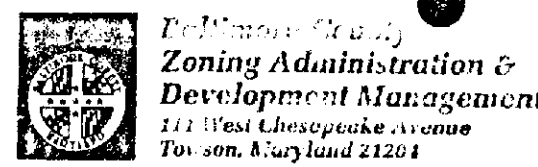
Location of property: 1 Brigantine Ct, Balto

Location of Signs: Facing road, on property, back, around

Remarks:

Posted by: *John* Date of return: 4/29/94

Number of Signs: 4



Date 4-11-94  
CARPENTER -- 1 Brigantine Ct.

receipt  
94-400-A

Account: R-001-6150  
Number # 387

OIO - Variance -- \$ 50.00  
OIO - Sign -- \$ 35.00  
\$ 85.00

Cashier Validation

Please Make Checks Payable To: Baltimore County

Item Number: 387  
Planner: JRF  
Date Filed: 4-24-94

PETITION PROCESSING FLAG

This petition has been accepted for filing, after an initial review, and has been placed on the agenda for the zoning advisory committee. However, the following items were found to be missing or incomplete when the petition was included on the agenda by Sophia. A copy of this "flag" will be placed in the case file for the Zoning Commissioner's review. The planner that accepted the petition for filing has the option of notifying the petitioner and/or attorney prior to the hearing or Zoning Commissioner's review of the petition regarding the items noted below. If the petitioner/attorney is contacted by the planner, it is the petitioner's ultimate decision and responsibility to make a proper application, address any zoning conflicts, and to file revised petition materials if necessary. Delays and unnecessary additional expenses may be avoided by correcting the petition to the proper form.

- Need an attorney
- The following information is missing:
- Descriptions, including accurate beginning point
  - Actual address of property
  - Zoning - WRONG ON PETITION FORM
  - Acres
  - Plats (need 12, only submitted)
  - 200 scale zoning map with property outlined
  - Election district
  - Councilmanic district
  - 802A section information and/or wording
  - Hardship/practical difficulty information
  - Owner's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
  - Contract purchaser's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
  - Signature (need minimum 1 original signature) and/or printed name and/or title of person signing for legal owner/contract purchaser
  - Power of attorney or authorization for person signing for legal owner and/or contract purchaser
  - Attorney's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
  - Notary Public's section is incomplete and/or incorrect and/or commission has expired

PET-FLAG (TYSOPH)  
11/17/93